

## CLAIMS WITHOUT MARKINGS

Amend the claims as follows:

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D1  
13 (Twice Amended). An electrode array for use in a cochlear implant to be implanted in a patient having spaced aural receptors disposed adjacent to the inner wall of the scala timpani, with receptors being spaced closer to each other as they approach the center of the cochlear spiral, said electrode array comprising electrodes selectively positioned longitudinally along said electrode array with consecutive electrodes being positioned at different spacings along the length of the array, said spacings being selected to match the positions of the electrodes at least approximately with the locations of said aural receptors.

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D2  
14 (Twice Amended). An electrode array for use in a cochlear implant to be implanted in a patient having aural receptors disposed on the inner wall of the cochlea at distances that are gradually smaller along the organ of Corti as the receptors approach the center of the spiral of the cochlea, said electrode array comprising electrodes selectively positioned along said electrode array with consecutive electrodes being positioned at different spacings, said spacings being selected to match the positions of the electrodes at least approximately with the locations of said spaced aural receptors.

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16 (Unchanged). The array of claim 14 wherein said electrodes are adapted to be positioned on implantation against the inner wall of the cochlea to make contact with said aural receptors.

6 (Thrice Amended). A method of constructing a cochlear electrode array having electrodes for implantation into a cochlea of the patient as part of a cochlear implant system, the patient having aural receptors disposed on the inner wall of the cochlea with aural receptors in one region being spaced apart at a different distance than aural receptors disposed at another region of said cochlea, the method comprising:  
positioning said electrodes along the length of the electrode array at locations that match the positions of said aural receptors to enable stimulation of the desired site of the cochlea when the electrode array has been inserted, with the spacings between consecutive electrodes being different for the electrodes stimulating the receptors of said one region than the spacing between consecutive electrodes stimulating the receptors of said aural receptors in said another region.



AMENDED CLAIMS WITH MARKINGS INDICATING CHANGES

Amend the claims as follows:

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13 (Twice Amended). An electrode array for use in a cochlear implant to be implanted in a patient having spaced aural receptors disposed adjacent to the inner wall of the scala timpani, with receptors being spaced closer to each other as they approach the center of the cochlear spiral, said electrode array comprising electrodes selectively positioned longitudinally along said electrode array with consecutive electrodes being positioned at different spacings along the length of the array, said spacings being selected to match the positions of the electrodes at least approximately with the locations of said aural receptors.

14 (Twice Amended). An electrode array for use in a cochlear implant to be implanted in a patient having aural receptors disposed on the inner wall of the cochlea at distances that are gradually smaller along the organ of Corti as the receptors approach the center of the spiral of the cochlea, said electrode array comprising electrodes selectively positioned along said electrode array with consecutive electrodes being positioned at different spacings, said spacings being selected to match the positions of the electrodes at least approximately with the locations of said spaced aural receptors.

16. The array of claim 14 wherein said electrodes are adapted to be positioned on implantation against the inner wall of the cochlea to make contact with said aural receptors.

6 (Thrice Amended). A method of constructing a cochlear electrode array having electrodes for implantation into a cochlea of the patient as part of a cochlear implant system, the patient having aural receptors disposed on the inner wall of the cochlea with aural receptors in one region being spaced apart at a different distance than aural receptors disposed at another region of said cochlea, the method comprising:

positioning said electrodes along the length of the electrode array at locations that match the positions of said aural receptors to enable stimulation of the desired site of the cochlea when the electrode array has been inserted, with the spacings between [said] consecutive electrodes being different for the electrodes stimulating the receptors of said one region than the spacing between [the] consecutive electrodes stimulating the receptors of said aural receptors in said another region.